

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RICHARD SPOSATO,

Plaintiff,

v.

**DECLARATION OF**  
**MATTHEW W. RYAN**

Case No.: 5:23-cv-364  
(GTS/MJK)

MATTHEW W. RYAN, Individually and in his Official  
Capacity,

Defendant.

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I, Matthew W. Ryan, pursuant to 28 U.S.C. § 1746, hereby state under penalty of perjury:

1. On June 19, 2021, I was employed by the Village of Solvay as a Police Officer. Since that date, I have been promoted to Sergeant.

2. On June 19, 2021, at approximately 2:15 a.m., I was working in my capacity as a Police Officer for the Village of Solvay. I was in a marked patrol unit, and I was parked in the 2200 block of West Genesee Street, conducting vehicle and traffic enforcement.

3. At approximately 2:15 a.m., I saw a maroon Honda Accord (“vehicle”) travel westbound on West Genesee Street, and stop at the red light at the intersection of West Genesee Street and Fay Road. The vehicle did not have its headlights on.

4. When the traffic light turned green, the vehicle accelerated quickly and began traveling in excess of 40 mph, which I confirmed by using the HR Falcon RADAR unit that I had in my police vehicle. The posted speed limit on the portion of West Genesee Street where the vehicle was traveling was 30 mph.

5. I pulled behind the vehicle as it traveled along West Genesee Street. I began following the vehicle because I had observed the driver of the vehicle commit a traffic violation.

In fact, I had observed two traffic violations: the lack of illuminated headlights and speeding.

6. The vehicle made an abrupt right turn onto North Orchard Road without signaling before the turn. At that point, I activated the emergency lights on my police vehicle to conduct a vehicle and traffic stop of the vehicle. The driver of the vehicle did not pull over, however. Instead, the driver continued traveling on North Orchard Road while maintaining the vehicle's speed.

7. I followed the vehicle with my emergency lights and siren activated. As I did so, the vehicle was traveling down the center of the roadway, and still failed to pull over.

8. The vehicle made an abrupt left turn into the driveway of 510 North Orchard Road. I parked my police vehicle on the street in front of 510 North Orchard Road, and advised dispatch of my stop location and requested another unit to respond to the scene. Then, I exited my police vehicle and approached the vehicle parked at 510 North Orchard Road.

9. The driver had parked the vehicle at the top of the driveway, right up to the garage. I saw the driver quickly exit the vehicle through the driver's side door, go around the front of the vehicle, look over his shoulder, and run into the side door of the garage. I recognized the driver as Richard Sposato.

10. I chased Mr. Sposato into the garage, while giving him verbal commands to stop and to show me his hands. I told Mr. Sposato that if he did not stop, he would be tased.

11. Mr. Sposato did not stop and he did not show me his hands. Instead, he continued to flee.

12. I deployed my department-issued Taser X26 while Mr. Sposato was fleeing. However, Mr. Sposato was able to shut the door into the house, which caused at least one of the two Taser probes to miss and not make contact with his body.

13. When I recovered the spent Taser cartridge, one probe was still connected to the

wire, and the other was missing.

14. Because both of the probes did not make contact with Mr. Sposato's body, the circuit was never completed, and the Taser did not emit any electrical charge. This was an ineffective and unsuccessful use of my Taser.

15. I did not pursue Mr. Sposato beyond the garage, or into the interior of the house. After he entered the house, Mr. Sposato refused to come back outside to address the matter with me.

16. I had no further in-person contact with Mr. Sposato on June 19, 2021. I did contact him by telephone, however. During that telephone conversation, I asked Mr. Sposato if he needed medical attention, and he said no. Mr. Sposato also told me during that telephone conversation that he had not been struck by a Taser probe.

17. A copy of the CNYLEADS Incident Report that I created relating to this incident is attached as **Exhibit A**.

18. A copy of the Arrest Report that I created relating to this incident is attached as **Exhibit B**.

19. A copy of the Subject Management Report that I prepared relative to the use of my Taser on June 19, 2021, is attached as **Exhibit C**.

20. As a result of the incident on June 19, 2021, I issued tickets to Mr. Sposato for the following:

- No/inadequate lights, in violation of Vehicle & Traffic Law § 375(2)(a)(1);
- Speeding 40 mph in a 30 mph zone, in violation of Vehicle & Traffic Law § 1180(d);
- Insufficient turn signal, in violation of Vehicle & Traffic Law § 1163(b);
- Failure to keep right, in violation of Vehicle & Traffic Law § 1120(a);

- Failure to comply with a lawful order, in violation of Vehicle & Traffic Law § 1102;
- Operating an unregistered motor vehicle, in violation of Vehicle & Traffic Law § 401(1)(a);
- Operating an uninspected motor vehicle, in violation of Vehicle & Traffic Law § 306(b);
- Operating a motor vehicle without insurance, in violation of Vehicle & Traffic Law § 319(1);
- Aggravated unlicensed operation of a motor vehicle in the second degree, in violation of Vehicle & Traffic Law § 511(2)(a)(ii); and
- Operating a motor vehicle without an ignition interlock device, in violation of Vehicle & Traffic Law § 1198(9)(d);

Copies of these ten Uniform Traffic Tickets are attached as **Exhibit D**, along with the Misdemeanor Information charging Mr. Sposato with aggravated unlicensed operation of a motor vehicle in the second degree, in violation of Vehicle & Traffic Law § 511(2)(a)(ii).

21. As a result of the incident on June 19, 2021, Mr. Sposato was also charged with obstructing governmental administration in the second degree, in violation of Penal Law § 195.05, and resisting arrest, in violation of Penal Law § 205.30. A copy of the Misdemeanor Information is attached as **Exhibit E**.

22. All of the documents attached to this declaration were prepared by me in the regular course of my business as a Police Officer employed by the Village of Solvay, and it is the regular course of the Solvay Police Department's business to make such documents. All of these documents were made at the time of the June 19, 2021 incident, or within a reasonable time thereafter.

23. I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 24, 2025

  
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Matthew W. Ryan